

# House File 2259 - Introduced

HOUSE FILE 2259

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 560)

## A BILL FOR

1 An Act authorizing licensed occupational therapists, licensed  
2 physical therapists, and certain medical professionals  
3 licensed in other states to provide a statement for purposes  
4 of persons with disabilities special registration plates or  
5 parking permits, and making penalties applicable.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.34, subsection 14, Code 2022, is  
2 amended to read as follows:

3 14. *Persons with disabilities special plates.* An owner  
4 referred to in subsection 12 or an owner of a trailer used  
5 to transport a wheelchair who is a person with a disability,  
6 or who is the parent or guardian of a child who resides  
7 with the parent or guardian owner and who is a person with a  
8 disability, as defined in section 321L.1, may, upon written  
9 application to the department, order special registration  
10 plates with a persons with disabilities processed emblem  
11 designed by the department bearing the international symbol  
12 of accessibility. The special registration plates with a  
13 persons with disabilities processed emblem shall only be  
14 issued if the application is accompanied with a statement  
15 from a physician licensed under chapter 148 or 149, a  
16 physician assistant licensed under chapter 148C, an advanced  
17 registered nurse practitioner licensed under chapter 152, ~~or~~  
18 a chiropractor licensed under chapter 151, an occupational  
19 therapist licensed under chapter 148B, or a physical therapist  
20 licensed under chapter 148A, written on the physician's,  
21 physician assistant's, nurse practitioner's, ~~or~~ chiropractor's,  
22 occupational therapist's, or physical therapist's stationery,  
23 stating the nature of the applicant's or the applicant's  
24 child's disability and such additional information as required  
25 by rules adopted by the department, including proof of  
26 residency of a child who is a person with a disability. If  
27 the application is approved by the department, the special  
28 registration plates with a persons with disabilities processed  
29 emblem shall be issued to the applicant. There shall be no  
30 fee in addition to the regular annual registration fee for the  
31 special registration plates with a persons with disabilities  
32 processed emblem. The authorization for special registration  
33 plates with a persons with disabilities processed emblem shall  
34 not be renewed without the applicant furnishing evidence to  
35 the department that the owner of the vehicle or the owner's

1 child is still a person with a disability as defined in  
 2 section 321L.1. An owner who has a child who is a person  
 3 with a disability shall provide satisfactory evidence to the  
 4 department that the child with a disability continues to reside  
 5 with the owner. The registration plates with a persons with  
 6 disabilities processed emblem shall be surrendered in exchange  
 7 for regular registration plates as provided in subsection  
 8 12 when the owner of the vehicle or the owner's child no  
 9 longer qualifies as a person with a disability as defined in  
 10 section 321L.1 or when the owner's child who is a person with a  
 11 disability no longer resides with the owner.

12 Sec. 2. Section 321L.2, subsection 1, unnumbered paragraph  
 13 1, Code 2022, is amended to read as follows:

14 A resident of the state with a disability desiring a  
 15 persons with disabilities parking permit shall apply to the  
 16 department upon an application form furnished by the department  
 17 providing the applicant's full legal name, address, date of  
 18 birth, and social security number or Iowa driver's license  
 19 number or Iowa nonoperator's identification card number, and  
 20 shall also provide a statement from a physician licensed  
 21 under [chapter 148](#) or [149](#), a physician assistant licensed  
 22 under [chapter 148C](#), an advanced registered nurse practitioner  
 23 licensed under [chapter 152](#), ~~or~~ a chiropractor licensed under  
 24 chapter 151, an occupational therapist licensed under chapter  
 25 148B, or a physical therapist licensed under chapter 148A,  
 26 or a physician, physician assistant, nurse practitioner, or  
 27 chiropractor, occupational therapist, or physical therapist  
 28 licensed to practice in a contiguous another state, written on  
 29 the physician's, physician assistant's, nurse practitioner's,  
 30 or chiropractor's, occupational therapist's, or physical  
 31 therapist's stationery, stating the nature of the applicant's  
 32 disability and such additional information as required by  
 33 rules adopted by the department under [section 321L.8](#). If the  
 34 person is applying for a temporary persons with disabilities  
 35 parking permit, the physician's, physician assistant's, nurse

1 practitioner's, ~~or~~ chiropractor's, occupational therapist's,  
 2 or physical therapist's statement shall state the period of  
 3 time during which the person is expected to be disabled and  
 4 the period of time for which the permit should be issued,  
 5 not to exceed six months. The department may waive the  
 6 requirement that the applicant furnish the applicant's social  
 7 security number, Iowa driver's license number, or nonoperator's  
 8 identification card number when the application for a temporary  
 9 persons with disabilities parking permit is made on behalf of  
 10 a person who is less than one year old. The department may  
 11 accept a certification of disability from the United States  
 12 department of veterans affairs in lieu of a statement from  
 13 a physician, physician assistant, advanced registered nurse  
 14 practitioner, ~~or~~ chiropractor, occupational therapist, or  
 15 physical therapist. The department may adopt rules pursuant  
 16 to [chapter 17A](#) detailing the requirements for an acceptable  
 17 certification of disability.

18 Sec. 3. Section 321L.2, subsection 1, paragraph a,  
 19 subparagraph (3), subparagraph division (a), unnumbered  
 20 paragraph 1, Code 2022, is amended to read as follows:

21 A person with a disability may apply for a temporary  
 22 removable windshield placard valid for a period of up to six  
 23 months or a standard removable windshield placard valid for  
 24 a period of five years, as determined by the physician's,  
 25 physician assistant's, nurse practitioner's, ~~or~~ chiropractor's,  
 26 occupational therapist's, or physical therapist's statement  
 27 under [this subsection](#).

28 Sec. 4. Section 321L.2, subsection 1, paragraph a,  
 29 subparagraph (3), subparagraph division (a), subparagraph  
 30 subdivision (ii), Code 2022, is amended to read as follows:

31 (ii) A standard removable windshield placard shall expire  
 32 on the last day of the month five years from the date of  
 33 issuance. A person with a disability may renew a standard  
 34 removable windshield placard within thirty days before or  
 35 after the date of expiration by submitting a statement from

1 a physician, physician's assistant, nurse practitioner, ~~or~~  
2 chiropractor, occupational therapist, or physical therapist, as  
3 provided in this subsection, to the department that the person  
4 has a continuing need for the placard.

5 Sec. 5. Section 321L.2, subsection 2, Code 2022, is amended  
6 to read as follows:

7 2. Any person providing false information with the intent  
8 to defraud on the application for a persons with disabilities  
9 parking permit used in establishing proof under subsection 1  
10 is subject to a civil penalty of three hundred dollars which  
11 may be imposed by the department. A physician, physician  
12 assistant, nurse practitioner, ~~or~~ chiropractor, occupational  
13 therapist, or physical therapist who provides false information  
14 with the intent to defraud on the physician's, physician  
15 assistant's, nurse practitioner's, ~~or~~ chiropractor's,  
16 occupational therapist's, or physical therapist's statement  
17 used in establishing proof under subsection 1 is subject to a  
18 civil penalty of three hundred dollars which may be imposed  
19 by the department. In addition to the civil penalty, the  
20 department shall revoke the permit issued pursuant to this  
21 section.

22 Sec. 6. Section 321L.2A, subsection 1, paragraph e, Code  
23 2022, is amended to read as follows:

24 e. The person carries in the motor vehicle a copy of the  
25 statement from a physician, physician assistant, advanced  
26 registered nurse practitioner, ~~or~~ chiropractor, occupational  
27 therapist, or physical therapist which accompanied the person's  
28 application for persons with disabilities registration plates  
29 under section 321.34 or other persons with disabilities parking  
30 permit under section 321L.2 and which indicates the person is  
31 permanently unable to walk. The person shall show the copy of  
32 the statement to any peace officer upon request.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

1 Under current law, persons with disabilities may submit  
2 an application to the department of transportation (DOT) for  
3 persons with disabilities special registration plates and  
4 parking permits. An application must provide a statement from  
5 an Iowa licensed physician, physician assistant, advanced  
6 registered nurse practitioner, or chiropractor (both plates  
7 and permits), or a physician, physician assistant, nurse  
8 practitioner, or chiropractor licensed to practice in a  
9 contiguous state (permits only), written on the medical  
10 professional's stationery, stating the nature of the person's  
11 disability and such additional information as required by DOT  
12 rules.

13 A person with a disability may apply for a temporary  
14 removable windshield placard valid for up to six months or a  
15 standard removable windshield placard valid for five years,  
16 as determined by the statement. If a person applies for  
17 a temporary persons with disabilities parking permit, the  
18 statement must specify the period during which the person is  
19 expected to be disabled and the period for which the permit  
20 should be issued, so long as the period does not exceed six  
21 months.

22 This bill authorizes an occupational therapist licensed  
23 under Code chapter 148B and a physical therapist licensed under  
24 Code chapter 148A to provide the required statement for both  
25 plates and permits. The bill authorizes a physician, physician  
26 assistant, nurse practitioner, chiropractor, occupational  
27 therapist, and physical therapist licensed in another state,  
28 rather than a contiguous state, to provide the required  
29 statement for permits. A medical professional who provides  
30 false information on the statement with the intent to defraud  
31 is subject to a civil penalty of \$300.